

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CORNEL WEST AND MELINA	:	No. 2:24-cv-01349
ABDULLAH, GERALDINE	:	
TUNSTALLE, KATHERINE HOPKINS-	:	(<i>filed electronically</i>)
BOT, AND CHARLES HIER,	:	
Plaintiffs,		:
		:
v.	:	
		:
PENNSYLVANIA DEPARTMENT OF	:	
STATE AND AL SCHMIDT, IN HIS	:	
CAPACITY AS SECRETARY OF THE	:	
COMMONWEALTH,	:	
Defendants.		:

ORDER

AND NOW, this _____ day of October, 2024, upon consideration of Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction, and Defendants' Response thereto, it is hereby ORDERED the Motion is GRANTED. Defendants are DIRECTED to accept the Nomination Papers of Cornel West and Melina Abdullah for President and Vice President, respectively, of the Justice for All political body. It is FURTHER ORDERED Defendants shall place Cornel West and Melina Abdullah on the ballot in accordance with the following remedial steps:

1. Defendants shall transmit to all county boards of elections an amended certification under Section 201(c) of the Election Code listing Cornel West and Melina Abdullah as candidates for President and Vice President, respectively, representing the Justice for All party;

2. The amended certification referenced in Paragraph (1) shall be accompanied by a notice instructing each county elections board to take all reasonable measures necessary to include West and Abdullah among the list of candidates for President and Vice-President, respectively, on the official ballot under Section 1003 of the Election Code. The notice shall further specify the following:
 - a. Counties that have not printed mail-in ballots and/or paper ballots for use at polling places on Election Day, must include on the official ballots the names of West and Abdullah as candidates for President and Vice President, respectively, representing the Justice for All party.
 - b. Counties that have printed official paper ballots for use at polling places on Election Day shall: (i) cause said paper ballots to be reprinted to list West and Abdullah as candidates for President and Vice President, respectively, representing the Justice for All party, reasonable costs of reprinting to be borne by Plaintiffs; and (ii) make all necessary adjustments to voting equipment to ensure that all votes for West and Abdullah are properly tabulated and canvassed.
 - c. A county may be excluded from compliance with Paragraphs (2)(a) and (2)(b) upon agreement of all parties, or upon a showing of severe hardship (beyond the cost of reprinting) or impossibility of reprinting ballots prior to November 5, 2024, made by way of application to this Court. Any request for relief under this Subparagraph must be

accompanied by an affidavit or declaration setting forth the specific facts giving rise to said request.

- d. Counties that printed mail-in ballots shall notify the Department of the same.
3. With regard to counties that have printed absentee or mail-in ballots under paragraph (2)(d), Defendants shall notify (via email or regular mail) all absentee or mail-in ballot recipients who have not returned their ballot that Cornel West and Melina Abdullah are candidates for President and Vice President, respectively, representing the Justice for All party, and that they may vote for the West/Abdullah ticket either by writing in the names of said candidates, or by voting in person on Election Day pursuant to Section 1303-D(e).
4. The Department shall issue a notice (in a form to be agreed upon by the parties), which shall be displayed prominently at every polling place in every County, that states Cornel West and Melina Abdullah are candidates for President and Vice President, respectively, representing the Justice for All party.
5. Plaintiffs shall have 10 days from the date of this Order to identify to the Department 19 electors to represent Cornel West and Melina Abdullah.

BY THE COURT:

RANJAN, J.